

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Brian Giora

Document No.: CH920000065US1

Serial No.: 09/773,227

Group Art Unit: 2111

Filed: January 31, 2001

For: DATA COMMUNICATIONS INTERFACES

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Alexandria, VA 22313-1450

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this second Renewed Petition Under 37 C.F.R. 1.137(b) (2 Pages); Copy of Letter, dated May 22, 2008, from Ron Drumheller in both script and typewritten form; Copy of Letter to Ron Drumheller letter dated April 28, 2008 (1 Page); Copy of the signed Return Receipt dated May 2, 2008 (1 Page); Copy of Petition to Revive with Amendment dated May 24, 2006 (19 pages); and Copy of first Renewed Petition to Revive, dated November 19, 2007 are being transmitted to the U.S. Patent and Trademark Office to (571) 273-8300 on June 2, 2008.


Lee Ann DiLello

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OFFICE OF PETITIONS

RENEWED PETITION UNDER 37 C.F.R. 1.137(b)

Sir:

In response to the Dismissal of the Petition under 37 CFR 1.1.37(b) to revive the instant application, and as per the suggestion of the Office of Petitions, applicant submits a copy of a letter to Ronald L. Drumheller requesting him to provide information on why action was not taken to prevent abandonment of the above-identified application. In response to the Dismissal of the Renewed Petition under 37 CFR 1.137(b) to revive the instant application, applicant submits a copy of a second letter, dated April 28, to Ronald L. Drumheller again requesting him to provide information on why action was not taken to prevent abandonment of the above-identified application. The second letter was sent by Certified Mail Return-Receipt Requested. The Receipt, a copy of which is enclosed, was signed by Ron Drumheller on May, 2, 2008. In response to the second letter, Ron Drumheller has included a letter, dated May 22, 2008, in script, which explains why action was not taken to prevent abandonment. A copy of the response letter from Ron Drumheller, which was converted to type written format by our administrative staff, is also included.

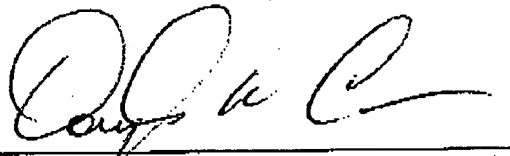
Adjustment date: 09/25/2008 CKHLOK
06703/2008 HIRAZI1 00000033 090468 09773227
01 FC:1453 1540.00 CR

Document No.: CH920000065US1
U.S. Appl. No. 09/773,227

The Office of Petitions also stated that the required reply was missing from the request of May 24, 2006 to revive the instant application; however, the Certificate of Mailing shows that the Reply to the Office Action preceding the abandonment was submitted. A copy of the Reply, which includes the Certificate of Mailing, Fee Payments, an amendment, and Formal Drawings (copy), are again enclosed.

Any additional fees may be charged to Account Number 09-0468.

Dated: June 2, 2008



Douglas W. Cameron
Reg. No. 31,596
Telephone: 914-945-3244

IBM Corporation
Intellectual Property Law Dept.
P.O. Box 218
Yorktown Heights, New York 10598

RONALD L. DRUMHELLER
94 Teasdale Sport Coach
Mahopac NY, 10541

MAY 22, 2008

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IBM
YORKTOWN
MAY 28 AM 9:10
INTELLECTUAL PROPERTY
LAW DEPT.

Douglas W. Cameron
Counsel, Intellectual Property Law
IBM T J Watson Research Center
P. O. Box 218
Route 134
Yorktown Heights, NY, 10598

RE: Your Docket No. CH920000065 US1
U.S. Appl. No. 09/773,227

Dear Doug,

This is in response to your letter of April 28, 2008 asking me to describe the events up to Oct. 28, 2003 that led to the abandonment of the docket referenced above. I am sorry that this is written in longhand, but I don't have a working printer connected to a working computer at this time.

As you know, I am now retired for a number of years. As I was typing on my computer keyboard in 2003, which was resting on my lap, my home and office were struck by lightning. Most of my computer systems and communication equipment and other electronic equipment were damaged or destroyed by the lightning strike. The keyboard on my lap was destroyed, as well as parts of the computer it was attached to. The strike also burned out chargers, power supplies, satellite equipment, telephones and the backup system that was supposed to protect everything.

I was sitting on a chair in my office, which has a rug covered concrete floor. While I did feel the lightning strike run up my legs and down my arms into the keyboard, I did not notice

Douglas W. Cameron

Page 2

May 22, 2008

Any physical damage to me. However, during a later physical, it was discovered that I have a heart abnormality that was not present at a physical a year earlier. I assume the lightning strike has something to do with the heart abnormality. In any event, it requires medication that has side effects which make it very difficult to continue my law practice. I have been retired ever since.

As for the above docket in particular, I have been unable to ascertain exactly what happened to cause abandonment. It is my assumption that it was caused by the lightning strike, one way or another. My docketing records show that the relevant Office Action was not docketed. A search of the file for this case has revealed that the relevant Office Action was not placed in that file. The file folder furthermore was still in numerical order by docket number, which indicates to me that the relevant Office Action was not processed at all, as if it had not been received. Furthermore, I have not been able to locate the relevant Office Action.

Perhaps the Office Action was not received. Perhaps it was received and misplaced before it could be docketed. In any event, there is no evidence that I have found so far that it was received.

Since your management directed me in a 2004 letter to cease immediately all work on your turn matters, I have not made the search exhaustive. Please advise if you want me to search further.

Regards,
 Ronald D. [Signature]

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Ronald L. Drumheller
94 Teakettle Spout Road
Mahopac NY 10541

May 22, 2008

VIA US Mail

Douglas W. Cameron
Counsel, Intellectual Property Law
PO Box 218
Route 134
Yorktown Heights, NY 10598

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OFFICE OF PETITIONS

Re: Your Docket NO. CH920000065 US1
U.S. Appln NO. 09/773, 227

Dear Doug :

This is in response to your letter of April 28, 2008, asking me to describe the events up to Oct. 28, 2003, that led to the abandonment of the docket referenced above. I am sorry that this is written in long hand, but I don't have a working printer connected to a working computer at this time.

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I was sitting on a chair in my office, which has a rug covered concrete floor. While I did feel the lightening strike run up my legs and down my arms into the keyboard, I did not notice any physical damage to me. However, during a later physical, it was discovered that I have a heart abnormality that was not present at a physical a year earlier. I assume the lightening strike has something to do with the heart abnormality. In any event, it requires medications that has side effects which make it very difficult to continue my law practice. I have been retired ever since.

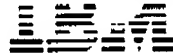
As for the above docket in particular, I have been unable to ascertain exactly what happened to cause abandonment. It is my assumptions that it was caused by the lightening strike, one way or another. My docketing records show that the relevant Office Action was not placed in that file. The file folder furthermore was still in numerical order by docket number, which indicates to me that the relevant Office Actions was not processed at all, as if it had not been received. Furthermore, I have not been able to locate the relevant Office Action.

Perhaps the Office Action was not received. Perhaps it was received and misplaced before it could be docketed. In any event, there is no evidence that I have found so far that it was received.

Since your management directed me in a 2004 letter to cease immediately all work on Yorktown matters, I have not made the search exhaustive. Please advise if you want me to search further.

Regards,

Ronald Drumheller



IBM T. J. Watson Research Center
PO Box 218
Rte 134
Yorktown Heights, NY 10598

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April 28, 2008

Ronald L. Drumheller, Esq.
94 Teakettle Spout Road
Mahopac, NY 10541

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Via Certified Mail/Return Receipt Requested
Certified Mail No.: 70070710000205049776

OFFICE OF PETITIONS

Re: Our Docket No. CH920000065US1
U.S. Appl. No.: 09/773,227

Dear Ronald:

Pursuant to the enclosed Decision on Petition, mailed April 2, 2008, could you please provide a statement explaining why the action was not timely taken to prevent the application from becoming abandoned.

The Decision on Petition, which is in response to a renewed petition under 37 CFR 1.137(b) filed from our office on November 19, 2007, dismissed the renewed petition because the statement being requested above was not included with the renewed petition. See the last paragraph on page 1 and the third paragraph on page 2 of the Decision on Petition.

Accordingly, by May 22, 2008, could you please provide a statement describing the events up to October 26, 2003 that lead to the abandonment of the docket referenced above.

Thank you.

Sincerely,

Douglas W. Cameron
Counsel, Intellectual Property Law
914-945-3244

DWC:lad
Enc.

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- Print your name and address on the reverse so that we can return the card to you.
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1. Article Addressed to:

Ronald L. Drumbheller, Esq
94 Teakettle Spout Rd.
Mahopac, N.Y. 10541

2. Article Number
(Transfer from service label)

7007 0710 0002 0504 9776

PS Form 3811, February 2004

Domestic Return Receipt

102585-02-44-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

- ☐ Agent
- ☐ Addressee

B. Received by (Printed Name)

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Ronald L. Drumbheller, Esq
Street, Apt. No.
or PO Box No. 94 Teakettle Spout Rd
City, State, ZIP+4
Mahopac, NY 10541

PS Form 3800, August 2005

See Reverse for Instructions



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1. Article Addressed to:
Ronald L. Drumheller, ESQ.
94 Teakettle Spout Rd.
Mahopac, N.Y. 10541

COMPLETE THIS SECTION ON DELIVERY

A. Signature ☐ Agent
Ronald L. Drumheller
B. Received by (Printed Name) ☐ Addressee
Ronald L. Drumheller
C. Date of Delivery
5/2/08
D. Is delivery address different from Item 1? ☐ Yes
If YES, enter delivery address below. ☐ No

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.
4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number
(Transfer from service label) 7009 0710 0008 0584 9776
PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

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PTO/SB/64 (10-05)
Approved for use through 07/31/2006, OMB 0851-0031
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)
CH920000068US1

First named inventor: Gloria Biren

Application No.: 09/773,227

Art Unit: 2111

Filed: January 31, 2001

Examiner: Gopal C. Ray

Title: DATA COMMUNICATIONS INTERFACES

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OFFICE OF PETITIONS

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
FAX (571) 273-8300

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

- ☐ Small entity-fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.
- ☒ Other than small entity - fee \$ 1,500 (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of Amendment (Identify type of reply):

- ☐ has been filed previously on _____
- ☒ is enclosed herewith.

B. The issue fee and publication fee (if applicable) of \$ _____

- ☐ has been paid previously on _____
- ☐ is enclosed herewith.

(Page 1 of 2)

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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00000033 090468

06/03/2008 HP08Z11

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PTO/SB/64 (10-05)

Approved for use through 07/31/2006. OMB 0551-0031
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

OFFICE OF PETITIONS

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

Douglas W. Cameron
Signature

5/24/06
Date

Douglas W. Cameron
Typed or printed name

31,596
Registration Number, if applicable

1101 North Kitchawan Road, P.O. Box 218
Address

814-845-3244
Telephone Number

Yorktown Heights, NY 10598
Address

- Enclosures: ☒ Fee Payment
- ☒ Reply
- ☐ Terminal Disclaimer Form
- ☐ Additional sheets containing statements establishing unintentional delay
- ☒ Other: Submission of Formal Drawings (8) sheets and Return Postcard

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

- ☒ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.
- ☐ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office as (571) 273-8300.

5/24/06
Date

Angelique Maldonado
Signature
Angelique Maldonado
Typed or printed name of person signing certificate

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Applicants:

Biran Giora, et al.

Serial No.: 09/773,227

Filed: January 31, 2001

For: DATA COMMUNICATIONS INTERFACES

Date: May 2, 2006

Group Art Unit: 2181

Examiner: Gopal C. Ray

Docket No.: CH920000065US1

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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AMENDMENT

OFFICE OF PETITIONS

Sir:

In response to the Office Action of June 25, 2003, please amend the
above-identified application as follows:

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims begin on page 4 of this paper.

Remarks begin on page 7 of this paper.

IBM Docket No.: CH920000065US1

- 1 -

Serial No.: 09/773,227

Amendments to the Specification:

1. Above line 1 on page 1, insert the following:

TITLE OF THE INVENTION

**TRANSMISSION SEGMENTATION LOGIC IN
DATA COMMUNICATIONS INTERFACES**

2. Delete the title on line 1:

DATA COMMUNICATIONS INTERFACES

3. Below the new title of the invention add the following:

CROSS REFERENCE TO RELATED APPLICATIONS

This application claims priority to European Patent No.: EP0012292.1, filed on
October 23, 2000.

**STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR
DEVELOPMENT**

Not Applicable

4. Above line 3 on page 1, insert:

BACKGROUND OF THE INVENTION

(1) Field of the Invention

5. Above line 6 on page 1, insert:

(2) Description of the Related Art

IBM Docket No.: CH920000065US1

- 2 -

Serial No.: 09/773,227

6. Above line 18 on page 1, insert:

BRIEF SUMMARY OF THE INVENTION

7. Above line 10 on page 3, insert:

BRIEF DESCRIPTION OF THE DRAWINGS

8. Above line 29 on page 3, insert:

DETAILED DESCRIPTION OF THE INVENTION

9. Replace the original **ABSTRACT OF THE DISCLOSURE** on page 24 with the following:

A data communication interface for a node of a network, wherein the interface has transmission/reception segmentation logic for transmitting data frames from the node/network, respectively. The transmission segmentation logic supplies a transmission payload to a data transmission path, while the reception segmentation logic supplies reception payload to a data reception path. The transmission segmentation logic supplies header information to a transmission control path, while the reception segmentation logic supplies header information to a reception control path from the network. The communication of the payload data on the transmission and reception paths are controlled, respectively, by a transmission control processor using the header information in the transmission control path and by a reception control processor using the header information in the reception control path.

IBM Docket No.: CH920000065US1

- 3 -

Serial No.: 09/773,227

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Amendments to Claims

This listing of claims will replace all prior versions, and listings, of the claims in the application.

Listing of Claims:

Claim 1. (Original) A data communications interface for a node of data processing network, the interface comprising:

a data transmission path;

a transmission control path;

transmission segmentation logic for receiving a data frame, comprising a transmission header and a transmission payload, from the node and supplying the transmission payload to the data transmission path and the transmission header to the transmission control path;

a transmission processor in the transmission control path for controlling communication of data from the transmission payload to the network via the data transmission path in dependence on the transmission header;

a data reception path;

a reception control path;

reception segmentation logic for receiving a data packet, comprising a reception header and a reception payload, from the network and supplying the reception payload to the data reception path and the reception header to the reception control path; and,

a reception processor in the reception control path for controlling communication of data from the reception payload to the node via the data reception path in dependence on the reception header.

Claim 2. (Original) An interface as claimed in claim 1, comprising a shared memory and a local bus providing access to the shared memory by the transmission and reception processors.

IBM Docket No.: CH920000065US1

- 4 -

Serial No.: 09/773,227

Claim 3. (Currently Amended) An interface as claimed in claim 2 wherein the shared memory comprises a store for control information to be used by the transmission and reception processors in controlling said flows of data.

Claim 4. (Previously Presented) An interface as claimed in claim 2 comprising a communication path for communicating information between the transmission and reception processors via the shared memory.

Claim 5. (Currently Amended) An interface as claimed in claim 1, comprising bus interface logic for connecting the a local bus, the transmission data channel, and the reception data channel to a bus architecture of the node.

Claim 6. (Previously Presented) An application specific integrated circuit, comprising a data communication interface as claimed in claim 1.

Claim 7. (Previously Presented) A network interface card for insertion into a computer system, the network interface card comprising a printed circuit board and a data communications interface as claimed in claim 1 mounted on the printed circuit board.

Claim 8. (Previously Presented) A computer system comprising: a central processing unit; a memory; a data communications interface as claimed in claim 1; and, a bus architecture interconnecting the central processing unit, the memory, and the data communications interface.

Claim 9. (Currently Amended) A data processing network as recited in claim 8, comprising a plurality of computer systems ~~as claimed in claim 8~~ and a network architecture interconnected to the computer systems.

Claim 10. (Original) A method of communicating data to and from a node in a data processing network, the method comprising:

receiving, via transmission segmentation logic, a data frame, comprising a transmission header and a transmission payload, from the node;

supplying, via the transmission segmentation logic, the transmission payload to a data transmission path and the transmission header to a transmission control path;

controlling, via a transmission processor in the transmission control path, communication of data from the transmission payload to the network via the data transmission path in dependence on the transmission header;

receiving, via reception segmentation logic, a data packet, comprising a reception header and a reception payload, from the network;

supplying, via the reception segmentation logic, the reception payload to a data reception path and the reception header to a reception control path; and,

controlling, via a reception processor in the reception control path, communication of data from the reception payload to the via the data reception path in dependence on the reception header.

REMARKS

The specification has been amended to conform with MPEP § 608.01.
Claims 1-10 remain in this application.

The Examiner has acknowledged that claims 1, 2, 4, 6-8 and 10 are allowable over the prior art of record. The Examiner has also indicated that claims 3 and 5 would be allowable if rewritten or amended to overcome the rejection(s) under 35 USC 112.

The Examiner has also objected to claim 9 under 37 CFR 1.75(c) as being of improper dependant form for failing to further limit the subject matter of the previous claim.

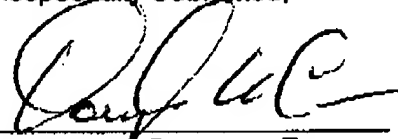
Accordingly, Applicant has amended claims 3 and 5 to provide for proper antecedent basis as suggested by the Examiner. Further, claim 9 has been amended to clearly further limit the subject matter of claim 8.

Amended drawings in accordance with the Examiner's suggestions are also included.

Applicant respectfully requests a Notice of Allowance be issued in this case.

Please charge any fee necessary to enter this paper and any previous paper to deposit account 09-0468.

Respectfully Submitted,



Douglas W. Cameron, Esq.
Registration No.: 31,596

IBM Corporation
Intellectual Property Law Dept.
P.O. Box 218
Yorktown Heights, New York 10598
(914) 945-3244

IBM Docket No.: CH920000065US1

- 8 -

Serial No.: 09/773,227

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Applicants:

Date: May 2, 2006

JUN 02 2008

Biran Giora, et al.

Group Art Unit: 2181

Serial No.: 09/773,227

Examiner: Gopal C. Ray

Filed: January 31, 2001

Docket No.: CH920000065US1

For: DATA COMMUNICATIONS INTERFACES


SUBMISSION OF FORMAL DRAWINGS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Please find enclosed number (8) sheets of formal drawings for the above-identified application.

Respectfully submitted,

By: 
Douglas W. Cameron
Registration No. 31,596

IBM Corporation
Intellectual Property Law Dept.
P.O. Box 218
Yorktown Heights, New York 10598
(914) 945-3244

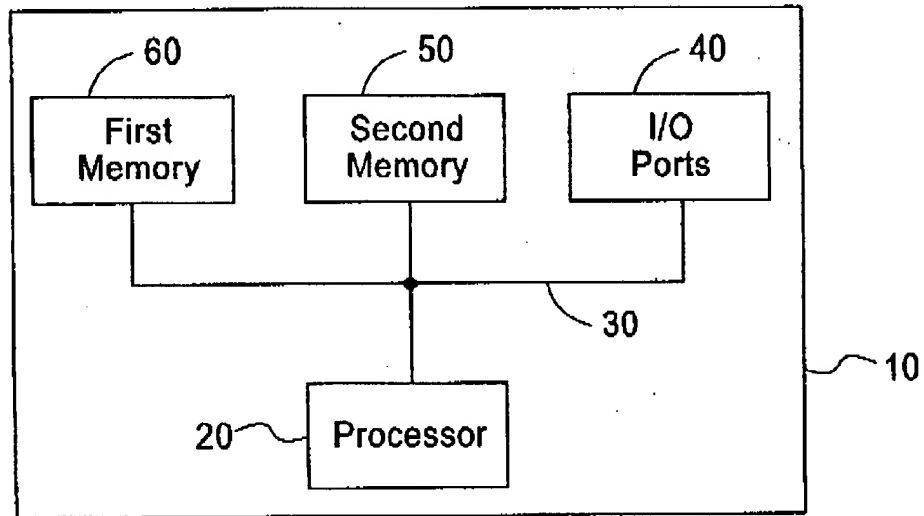


FIG. 1

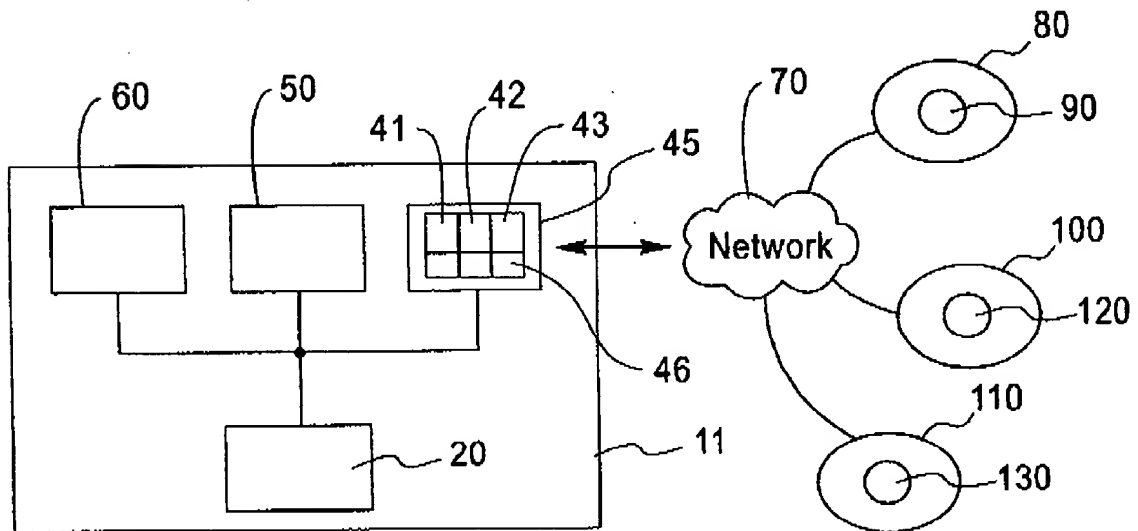


FIG. 2

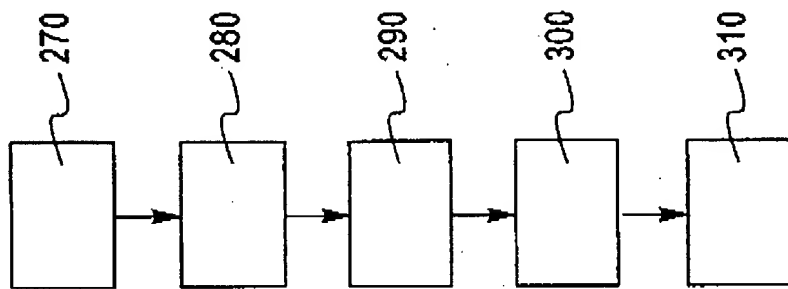


FIG. 5

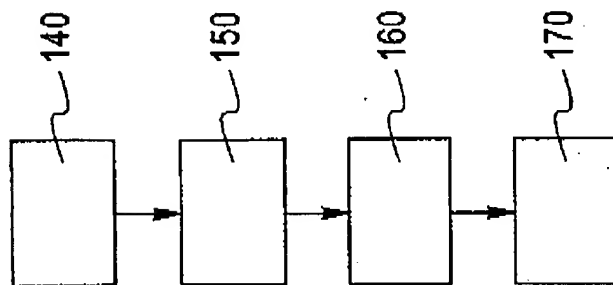


FIG. 3

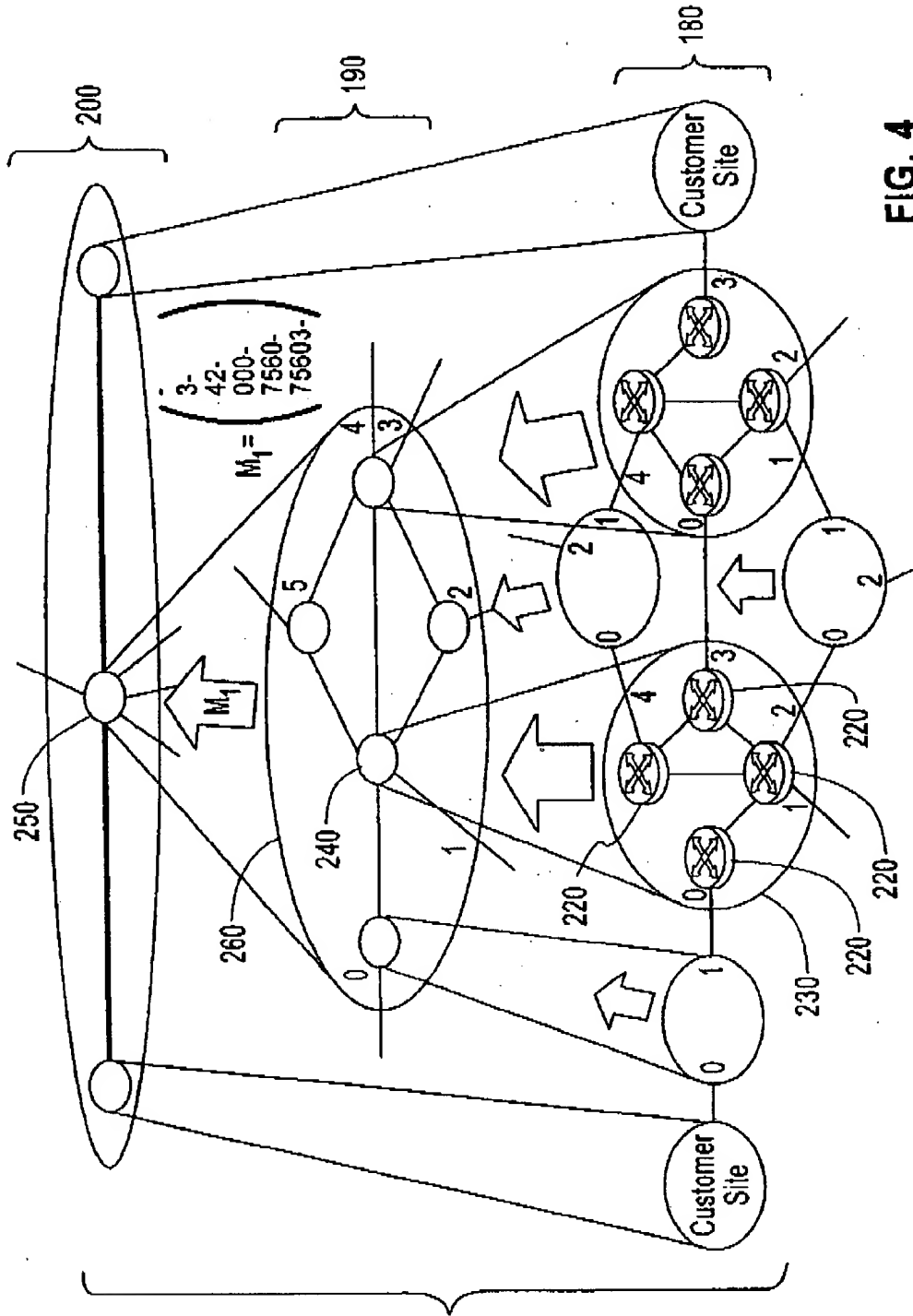


FIG. 4

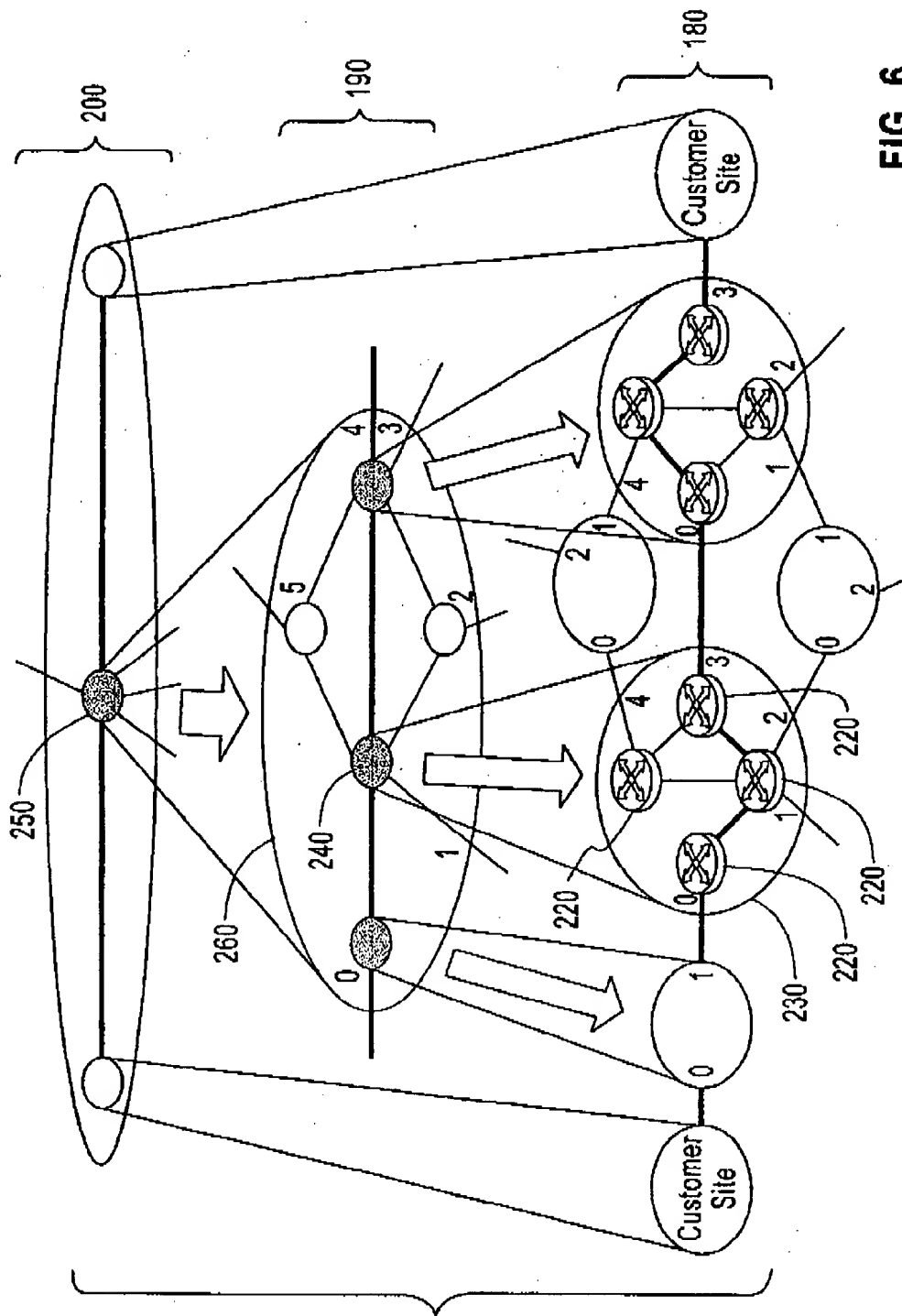


FIG. 6

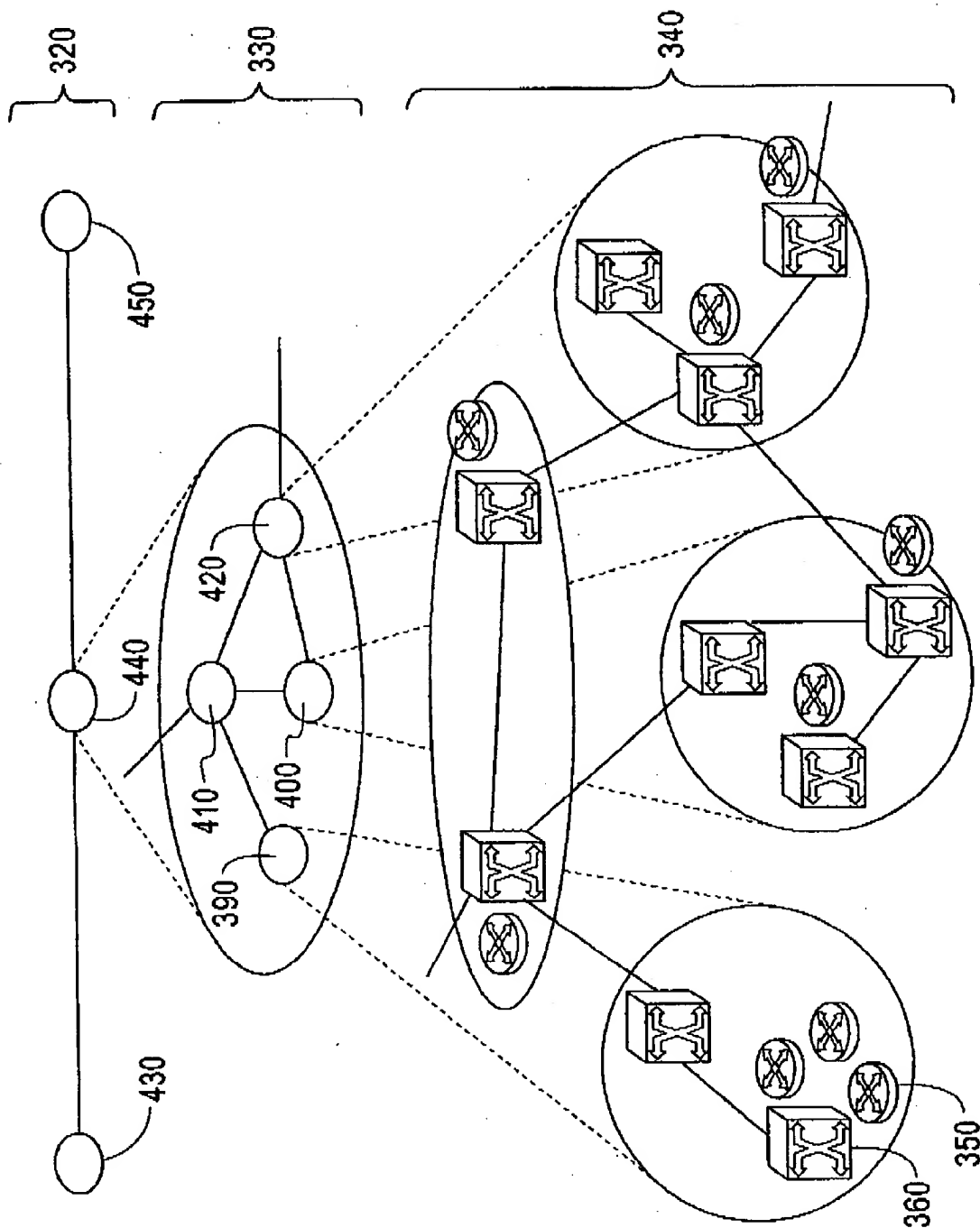


FIG. 7

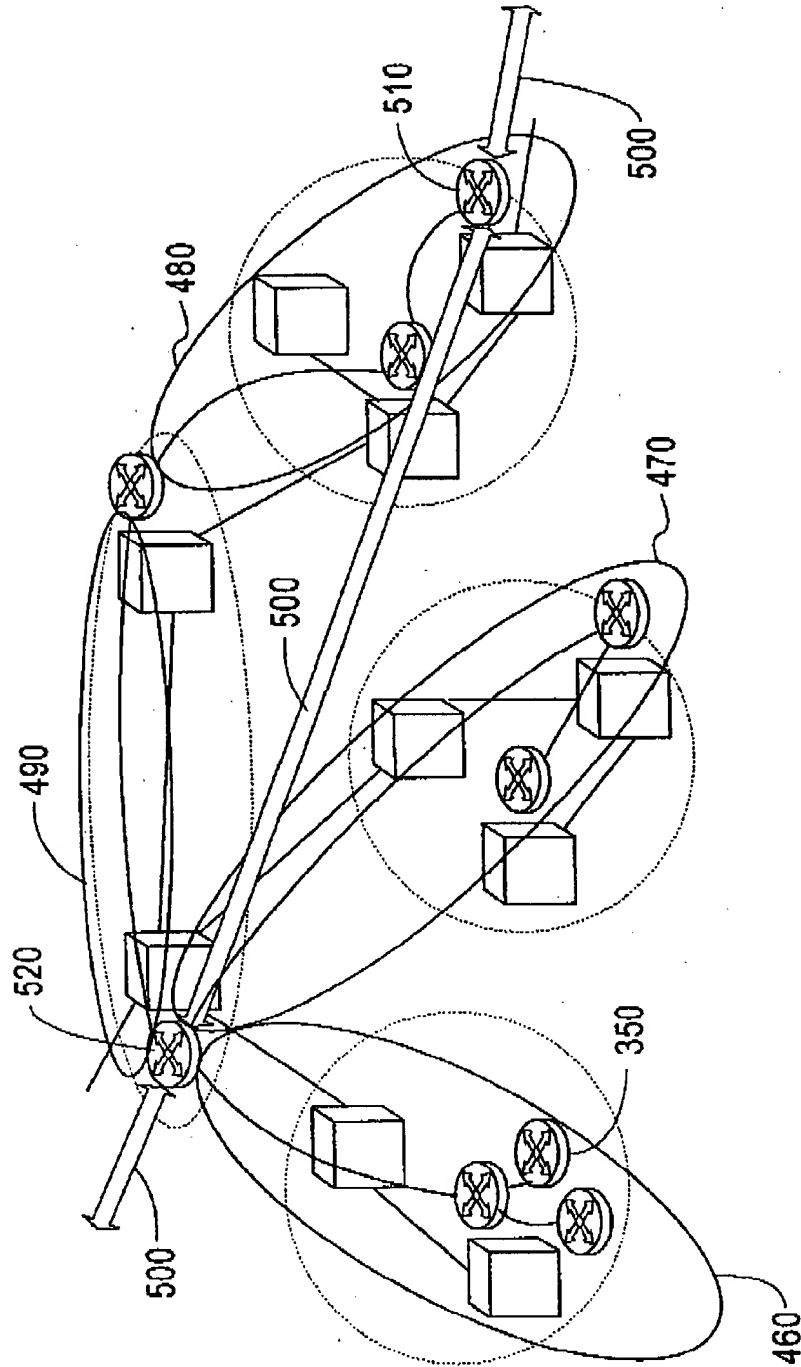


FIG. 8

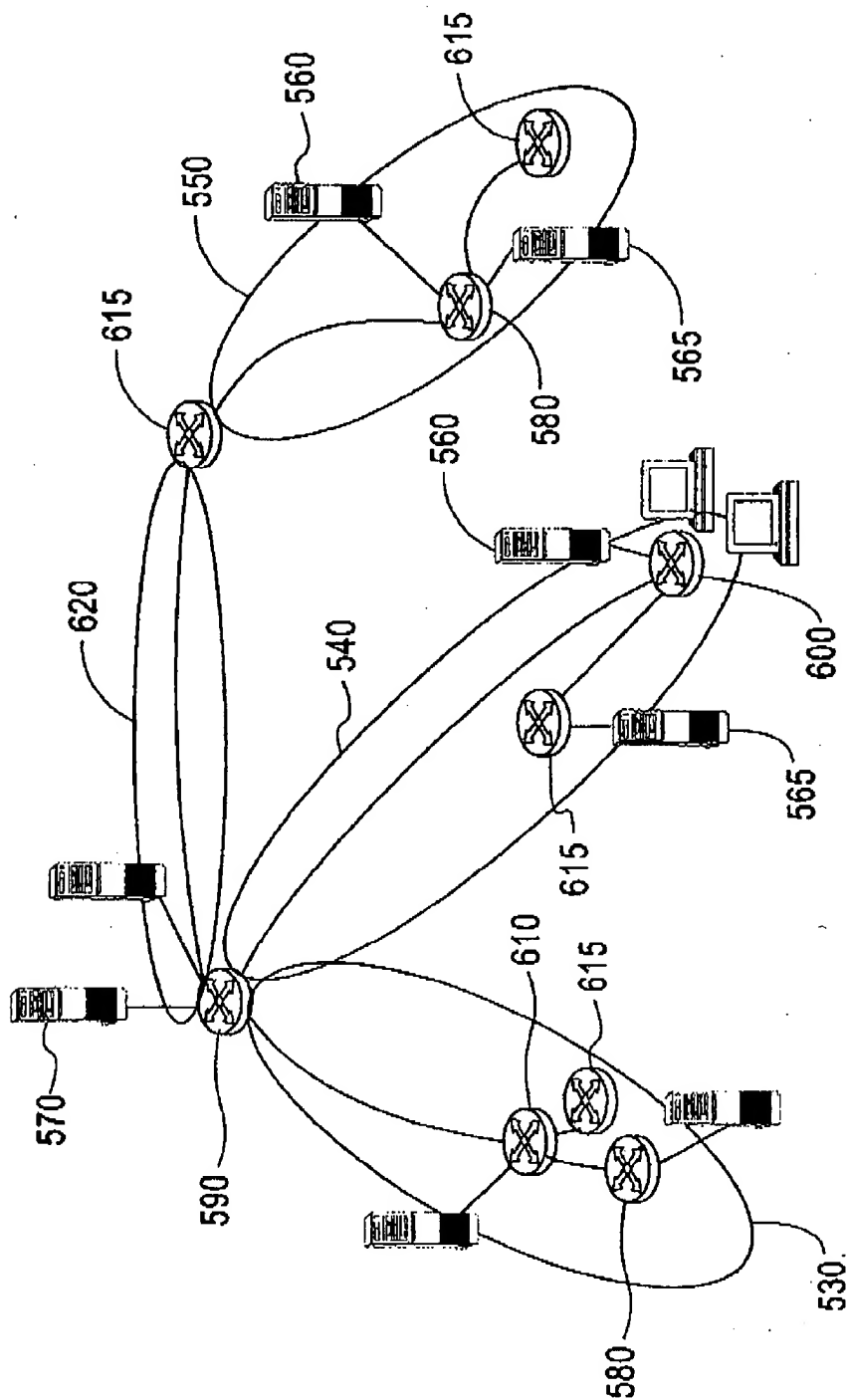
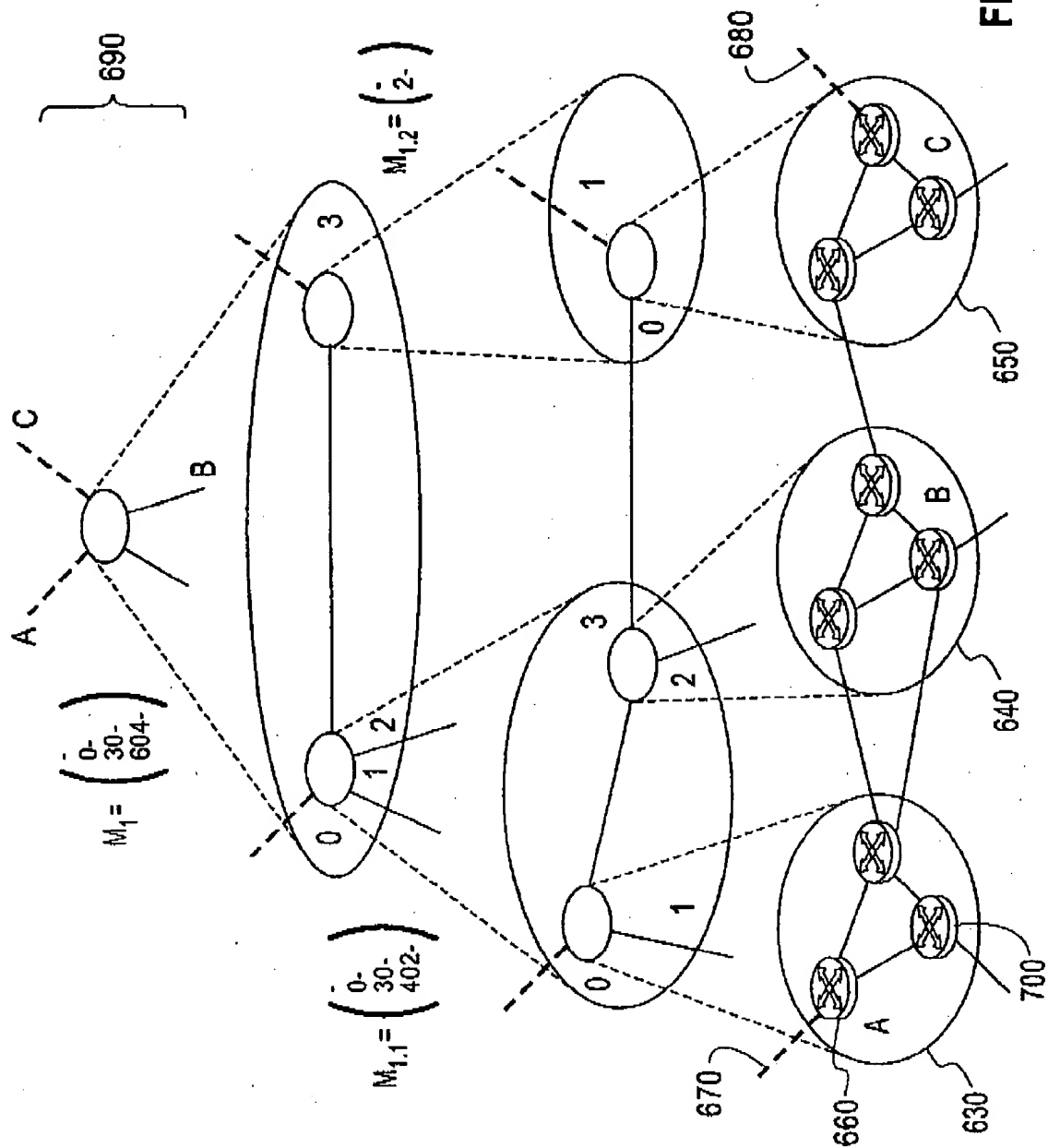


FIG. 9



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of: Brian Giora

Document No.: CH920000065US1

Serial No.: 09/773,227

Group Art Unit: 2111

Filed: January 31, 2001

For: DATA COMMUNICATIONS INTERFACES

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this Renewed Petition Under 37 C.F.R. 1.1.37(b) (2 Pages); Copy of Drumheller letter dated October 9, 2007 (1 page); Copy of signed Return Receipt dated October 15, 2007 (1 page) and Copy of Petition to Revive with Amendment dated May 24, 2006 (20 pages) are being transmitted to the U.S. Patent and Trademark Office to (571) 273-8300 on November 19, 2007.


Lee Ann DiLello

RENEWED PETITION UNDER 37 C.F.R. 1.1.37(b)

Sir:

In response to the Dismissal of the Petition under 37 CFR 1.1.37(b) to revive the instant application, and as per the suggestion of the Office of Petitions, applicant submits a copy of a letter to Ronald L. Drumheller requesting him to provide information on why action was not taken to prevent abandonment of the above-identified application. The letter was sent by Certified Mail Return-Receipt Requested. The Receipt, a copy of which is also enclosed, was signed by Ron Drumheller, and no explanation was provided by him in response to the letter.

The Office of Petitions also stated that the required reply was missing from the request of May 24, 2006 to revive the instant application; however, the Certificate of Mailing shows that the Reply to the Office Action preceding the abandonment was

JUN 02 2008

PAGE 31/32 * RCVD AT 6/2/2008 4:38:11 PM [Eastern Daylight Time] * SVR:USPTO-EFAXF-6/39 * DNIS:2738300 * CSID:19149453281 * DURATION (mm:ss):04:56

Document No.: CH920000065US1
U.S. Appl. No. 09/773,227

submitted. A copy of the Reply, which includes the Certificate of Mailing, Fee Payments, an amendment, and Formal Drawings (copy), are again enclosed.

Any additional fees may be charged to Account Number 09-0468.

Dated: November 19, 2007



Douglas W. Cameron
Reg. No. 31,596
Telephone: 914-945-3244

IBM Corporation
Intellectual Property Law Dept.
P.O. Box 218
Yorktown Heights, New York 10598



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IBM T. J. Watson Research Center
PO Box 218
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October 9, 2007

Ronald L. Drumheller, Esq.
94 Teakettle Spout Road
Mahopac, NY 10541

Via Certified Mail/Return Receipt Requested
Certified Mail No. 7007 0710 0002 0504 9769

Re: Our Docket No.: CH920000065US1
U.S. Appln. No.: 09/773,227


Dear Ronald:

As per the advise of the USPTO Office of Petitions in the enclosed Decision on Petition, mailed September 20, 2007, dismissing a Petition for Revival under 37 CFR 1.137(b), this letter is being sent to request information on the cause of abandonment of Docket No. CH920000065US1, which became abandon on October 26, 2003. See the attached request for information in the next to last paragraph of the Decision on Petition.

Accordingly, by November 8, 2007, could you please send a statement of the events up to October 26, 2003 that lead to the abandonment of the aforementioned subject docket.

Thank you.

Sincerely,



Douglas W. Cameron
Counsel, Intellectual Property Law
914-345-3244

DWC:lad

Enc.